REMARKS

Initially, Applicants wish to thank Examiner Keefer and Supervisory Examiner Jules for the courtesy extended to the undersigned during the personal interview on May 8, 2007. The substance of that interview is discussed below where appropriate.

By this Reply, Applicants cancel claims 2, 12 and 15-21, without prejudice or disclaimer of the subject matter therein, amend claims 1, 4-8, 10, 11, 13 and 14, and add new claims 22-24. Claims 1, 3-11, 13, 14 and 22-24 are therefore pending in this application, with claims 1, 13, 23 and 24 being independent. Support for the amendments and new claims can be found throughout the specification, for example, at pages 6-10 and 16 and FIG. 1. No new matter has been introduced.

In the Office Action of February 22, 2007 ("Office Action"), (1) claims 1, 2, 5, 8, 10-14, 16 and 20 were objected to for informalities; (2) claims 1-21 were rejected under 35 U.S.C. § 101; (3) claims 1-3, 8, 10, 11 and 13[1] were rejected under 35 U.S.C. § 102(e) based on U.S. Patent No. 6,829,746 ("*Schwerdtfeger*"); (4) claims 4 and 5 were rejected under 35 U.S.C. § 103(a) based on *Schwerdtfeger* in view of "XML Events: An Events Syntax for XML" ("*McCarron*"); (5) claim 6 was rejected under § 103(a) based on *Schwerdtfeger* in view of "HTML: the Definitive Guide" ("*Musciano*"); (6) claim 7 was rejected under § 103(a) based on *Schwerdtfeger* in view of U.S. Patent No. 6,434,578 ("*McCauley*"); (7) claim 12 was rejected under § 103(a) based on *Schwerdtfeger* in view of *McCarron*; (8) claims 9 and 14 were rejected under § 103(a) based in *Schwerdtfeger* in view of U.S. Patent Application Publication No. 2003/0011631 ("*Halahmi*"); (9) claims 15, 16 and 19-21 were rejected under § 103(a) based on *McCauley* and U.S. Patent Application Publication No. 2003/0069881 ("*Huttunen*"); (10) claim 17 was rejected under § 103(a) based on *McCauley* and *Huttunen* in view of "Composite Capability/Preference Profiles (CC/PP): A user side framework for content negotiation" ("*Reynolds*"); and (11) claim 18 was rejected under § 103(a) based on *McCauley* and *Huttunen* in view of *Schwerdtfeger*. These items and the new claims are addressed below.

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[1] Claims 3, 8 and 13 are not mentioned in the statement of rejection on page 6 of the Office Action (item 5), but these claims are addressed in the substance of the § 102 rejection (*see* pages 7-10). Should the Examiner continue to dispute the patentability of the claims, Applicants request that the next Office Action clearly state the basis for any rejection of the claims.

Objection to claims 1, 2, 5, 8, 10-14, 16 and 20

The Office Action objected to claims 1, 2, 5, 8, 10-14, 16 and 20 for informalities and suggested various claim language changes to improve clarity. *See* Office Action, pp. 2-4. By this Reply, Applicants have canceled claims 2, 12, 16 and 20 and amended claims 1, 5, 8, 10, 11, 13 and 14. Applicants submit that the clarity issues noted in the Office Action have been addressed by amendments made to the claims. Applicants thus request withdrawal of the objection.

Section 101 rejection

The Office Action asserted that claims 1-21 are directed to non-statutory subject matter because the claims, although producing a concrete and useful result, do not produce a tangible result. *See* Office Action, pp. 4-6. The § 101 rejection of claims 2, 12 and 15-21 is rendered moot by the cancellation of those claims, and the § 101 rejection of pending claims 1, 3-11, 13 and 14 should be withdrawn for at least the following reasons.

Initially, Applicants submit that the Office Action fails to establish that Applicants' claims include any §101 judicial exception, much less that the claims lack a practical application of such an exception that produces a useful, tangible and concrete result. *See* MPEP § 2106(IV). Nonetheless, as discussed below, Applicants' claims do indeed produce "tangible" results.

To satisfy the "tangible" requirement, a process claim "must set forth a practical application of . . . [a] judicial exception to produce a real-world result." MPEP § 2106(IV)(C)(2) (internal citations omitted). Furthermore, "the focus is not on whether the steps taken to achieve a particular result are useful, tangible, and concrete, but rather on whether the final result achieved by the claimed invention is 'useful, tangible, and concrete.'" MPEP § 2601(IV)(C)(2).

In this case, Applicants' claims produce practical, real-world results, which are "tangible." Results achieved by at least the "transforming," "receiving" and "invoking" features of claim 1, and its dependent claims 3-11, have a practical, real-world application of, for example, allowing events to be represented on heterogeneous devices and facilitating remote

processing of events. *See* Specification, e.g., pp. 5-7.[2] Claims 13 and 14, although different in scope than claim 1 and each other, produce similar tangible, real-world results.

Even if claims 1, 3-11, 13 and 14 were to include a §101 judicial exception, to which Applicants do not acquiesce, these claims are statutory since they produce concrete, tangible and useful results and therefore provide practical, real world utility. *See* MPEP §2106 IV(C); *see also State Street Bank & Trust Co. v. Signature Fin. Group, Inc.*, 149 F.3d 1368, 1375, 47 USPQ2d (BNA) 1596, 1602 (Fed. Cir. 1998). Applicants accordingly request withdrawal of the § 101 rejection of claims 1, 3-11, 13 and 14.

Section 102 rejection of claims 1-3, 8, 10, 11 and 13

The §102 rejection of claim 2 is rendered moot by the cancellation of that claim. Further, the §102 rejection of pending claims 1, 3, 8, 10, 11 and 13 should be withdrawn because *Schwerdtfeger* fails to anticipate these claims as currently presented. In order to properly anticipate Applicants' claims under § 102, a single prior art reference must disclose each and every element of the claim at issue, either expressly or under principles of inherency. Here, the applied art fails to disclose each and every feature of the amended claims.

Amended independent claim 1 recites generating a generic, markup language independent, description of an event associated with a source document. The event represents user interaction with the source document. Claim 1 further recites <u>transforming the generic description into markup language specific representations of the event</u>. The transforming is controlled at least in part by associated meta-information about a structure of the source document. Additionally, claim 1 recites sending at least one of the markup language specific representations to a browser running on a client device. Claim 1 recites <u>receiving from the client device the generically described event coded as at least one HTTP-request parameter</u> and invoking a process based on the received at least one HTTP-request parameter. The at least one HTTP-request parameter <u>includes an event name and an event value derived from attributes of the generic description</u>.

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[2] In referring to the specification, Applicants do not intend to limit the scope of the claims to the exemplary implementations shown in the drawings and described in the specification. Rather, Applicants expressly affirm the entitlement to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Schwerdtfeger is directed to electronic document delivery. *See* Abstract. In *Schwerdtfeger*'s system, a transcoder proxy (28) receives an electronic document (12) from an Internet server (16) in a first digital format, such as HTML, XML, Postscript, PDF, and AFP. *See* col. 6, lines 16-30. In response to receiving the document, the transcoder proxy (28) produces a pre-transcoded document object model (DOM) (38). *See* col. 6, lines 35-38. The DOM (38) facilitates navigation of the logical structure of the document (12). *See* col. 6, lines 42-52. Transcoder proxy (28) then translates a portion of the document (12) from one digital format to another using the DOM (38). *See* col. 6, lines 53-62. *Schwerdtfeger* provides the example of translating the portion of the document (12) from HTML to a scripting language understood by a user agent. *See id.* The translated portion of the document (12) is then provided to a client machine (22) in a script. *See* col. 7, lines 7-10.

Schwerdtfeger is not seen to disclose "transforming . . . [a] generic description [of an event] into markup language specific representations of the event," where the transforming is "controlled at least in part by associated meta-information about a structure of the source document," as recited in claim 1. While *Schwerdtfeger* describes translating a document (12) from one digital format to another, there is no indication in the reference of transforming "a generic, markup language independent, description of an event" into markup language specific representations of the event, as required by claim 1. In fact, *Schwerdtfeger* provides the example of translating between HTML and a scripting language that is a subset of HTML. Translating between a text-based markup language (i.e., HTML) and a subset scripting language does not constitute transforming "a generic, markup language independent, description of an event" into markup language specific representations of the event, as claimed.

The Office Action asserts that *Schwerdtfeger* transforms a DOM (38) into a scripting language and that the DOM is inherently markup language independent. *See* Office Action, p. 9. Applicants respectfully disagree with this interpretation of the reference. As discussed in the interview, *Schwerdtfeger* is not seen to disclose translating the DOM (38) into the scripting language. Instead, the reference discloses translating a portion of the document (12) from a first format (e.g., HTML) into the scripting language. Although *Schwerdtfeger* discloses using the DOM (38) to generate the script for the client, the reference does not disclose translating the DOM (38) into a scripting language. The DOM (38) is merely used to facilitate navigation of the

document (12) and to define methods for accessing and manipulating the document. Even if the portion of the document (12) were included in the DOM (38), it is the portion of the document (12) (which is in the first format) that is translated and not the DOM (38). Consequently, even if *Schwerdtfeger*'s DOM (38) were markup language independent, the reference still lacks disclosure of the "transforming" recited in claim 1.

The Office Action also notes *Schwerdtfeger*'s disclosure regarding JavaScript events, asserting that JavaScript is generic and markup language independent. *See* Office Action, pp. 7, 12-13 (citing *Schwerdtfeger*, col. 9, lines 33-42). Even if JavaScript were consistent with the "a generic, markup language independent, description," *Schwerdtfeger* is not seen to disclose transforming any JavaScript event into markup language specific representations, in the manner recited in claim 1.

Schwerdtfeger also lacks disclosure of "receiving from the client device the generically described event coded as at least one HTTP-request parameter," as recited in claim 1. The Office Action notes that, in *Schwerdtfeger*'s system, a user agent (40) provides an event and an identifier to the transcoder proxy (28) and that interaction between the transcoder proxy (28) and the client (22) is facilitated by the HTTP 1.1 standard. *See* Office Action, p. 7 (citing *Schwerdtfeger*: col. 7, lines 36-38; col. 8, lines 40-42). This functionality described by *Schwerdtfeger* is not seen to disclose receiving from the client device the generically described event coded as at least one HTTP-request parameter, as claimed. As discussed in the interview, even if *Schwerdtfeger*'s user agent were to provide event information to the proxy using HTTP, there is no indication of any coding of a generically described event as at least one HTTP-request parameter. Moreover, there is no indication in *Schwerdtfeger* that such an HTTP-request parameter includes an event name and an event value derived from attributes of the generic description, as required by claim 1.

For at least the foregoing reasons, Applicants submit that *Schwerdtfeger* fails to disclose at least the "transforming" and "receiving" features of claim 1. Because the applied art is not seen to disclose each and every feature of claim 1, Applicants request withdrawal of the §102 rejection of claim 1. The §102 rejection of claims 3, 8, 10 and 11 should be withdrawn as well, since these claims depend upon claim 1 and are likewise distinguishable from the applied art.

Independent claim 13, although of different scope than claim 1, includes features similar to those noted above in connection with claim 1. Claim 13 recites, *inter alia*, a server device configured to generate a generic, markup language independent, description of an event associated with a source document. The event represents user interaction with the source document. The server device is configured to <u>transform the generic description into markup language specific representations of the event</u>. The transformation is controlled at least in part by associated meta-information about a structure of the source document. The server device is configured to send at least one of the markup language specific representations to a browser running on a client device. The service device is configured to <u>receive from the client device the generically described event coded as at least one HTTP-request parameter</u>, and invoke a process based on the received at least one HTTP-request parameter. The at least one HTTP-request parameter <u>includes an event name and an event value derived from attributes of the generic description</u>.

Independent claim 13 is distinguishable from *Schwerdtfeger* for at least reasons similar to those presented above in connection with claim 1. Applicants accordingly request withdrawal of the §102 rejection of this pending claim.

Section 103(a) rejection of claims 4 and 5

The §103(a) rejection of claims 4 and 5 should be withdrawn because *Schwerdtfeger* and *McCarron* do not support a *prima facie* case of obviousness with respect to these claims, as currently presented. To establish *prima facie* obviousness under 35 U.S.C. § 103, the applied references, taken alone or in combination, must teach or suggest each and every element recited in the claims. Further, there must be some suggestion or motivation to combine or modify the references in a manner producing a combination as is claimed, as well as a reasonable expectation of success. *See* MPEP § 2143.

Claims 4 and 5 depend upon claim 1. For at least the reasons discussed above, *Schwerdtfeger* fails to disclose or suggest each and every feature of claim 1. *McCarron*, which was applied to claims 4 and 5, relates to an XML Events module definition. *See* Abstract. *McCarron* fails to cure the deficiencies of *Schwerdtfeger* at least with respect to independent

claim 1. Accordingly, *Schwerdtfeger* and *McCarron*, taken alone or in any combination, fail to disclose or suggest each and every feature of claim 1 or its dependent claims 4 and 5.

Moreover, a skilled artisan would not have been led to modify or combine *Schwerdtfeger* and *McCarron* in a manner resulting in Applicants' claimed combination. According to the Office Action, a skilled artisan would have modified *Schwerdtfeger*'s method to include a generic, device-independent document description language based on XML and to include functionality for manually associating metadata with an event in order to "provide an interoperable way of associating behaviors with document-level markup," as stated in *McCarron*. Office Action, pp. 10-11 (quoting *McCarron*, Abstract, lines 3-4). As discussed in the interview, this assertion in the Office Action is not seen to establish that a skilled artisan would have been motivated to combine or modify the references as alleged or in a manner resulting in Applicants' claimed combination. For example, providing "an interoperable way of associating behaviors with document-level markup" might result from using an *McCarron*'s XML Events module, but it does not explain why a skilled artisan would have been led to modify *Schwerdtfeger*'s system to include a generic document description language or to include functionality for manually associating metadata with an event. The Office Action offers no explanation as to how the alleged modification would be carried out or what, if any, effects would result. Indeed, Applicants submit that a skilled artisan facing whatever need or problem known in the field of web document transformations, would not have been led to modify *Schwerdtfeger*'s system in a manner resulting in Applicants' claimed combination, without first consulting Applicants' disclosure.

For at least the foregoing reasons, *Schwerdtfeger* and *McCarron* fail to support a case for *prima facie* obviousness with respect to claims 4 and 5. Applicants accordingly request withdrawal of the §103(a) rejection of these pending claims.

Section 103(a) rejection of claim 6

Claim 6 depends upon claim 1. As discussed above, *Schwerdtfeger* fails to disclose or suggest each and every feature of claim 1. *Musciano*, which was applied to claim 6, relates to the HTML document markup language. *Musciano* fails to cure the deficiencies of *Schwerdtfeger* with respect to independent claim 1. Accordingly, *Schwerdtfeger* and *Musciano*, taken alone or

in any combination, fail to disclose or suggest each and every feature of claim 1 or its dependent claim 6. For at least this reason, *Schwerdtfeger* and *Musciano* fail to support a case for *prima facie* obviousness with respect to claim 6. Applicants therefore request withdrawal of the §103(a) rejection of this pending claim.

Section 103(a) rejection of claim 7

Claim 7 depends upon claim 1. As discussed above, *Schwerdtfeger* fails to disclose or suggest each and every feature of claim 1. *McCauley*, which was applied to claim 6, relates to authoring and rendering hypermedia content. *See* col. 1, lines 5-10. Although *McCauley* describes a generic multimedia content format, the reference fails to cure the deficiencies of *Schwerdtfeger* with respect to independent claim 1. *See* col. 2, lines 39-65. Accordingly, neither *Schwerdtfeger* nor *McCauley*, nor any combination thereof, discloses or suggests each and every feature of claim 1 or dependent claim 7. For at least this reason, *Schwerdtfeger* and *McCauley* fail to support a case for *prima facie* obviousness with respect to claim 7. Applicants therefore request withdrawal of the §103(a) rejection of this pending claim.

Section 103(a) rejection of claim 12

Applicants have canceled claim 12, without prejudice or disclaimer. The § 103(a) rejection of claim 12 based on *Schwerdtfeger* and *McCarron* is rendered moot by the cancellation of that claim.

Section 103(a) rejection of claims 9 and 14

Claim 9 depends upon claim 1, and claim 14 depends upon claim 13. For at least the reasons discussed above, *Schwerdtfeger* fails to disclose or suggest each and every feature of independent claim 1 or independent claim 13. *Halahmi*, which was applied to claims 9 and 14, relates to dividing documents into smaller portions for ease of transmission and display. *See* Abstract. *Halahmi* is not seen to cure the deficiencies of *Schwerdtfeger* with respect to independent claim 1. Accordingly, *Schwerdtfeger* and *Halahmi*, taken alone or in any combination, fail to disclose or suggest each and every feature of claim 1 or claim 13 or their respective dependent claims 9 and 14. For at least this reason, *Schwerdtfeger* and *Halahmi* fail

to support a case for *prima facie* obviousness with respect to claims 9 and 14. Applicants therefore request withdrawal of the §103(a) rejection of these pending claims.

Section 103(a) rejections of claims 15-21

Applicants have cancelled claims 15-21, without prejudice or disclaimer. The § 103(a) rejection of claims 15, 16 and 19-21 based on *McCauley* and *Huttunen* is rendered moot by the cancellation of those claims. Likewise, the § 103(a) rejection of claim 17 based on *McCauley*, *Huttunen* and *Reynolds* and the § 103(a) rejection of claim 18 based on *McCauley*, *Huttunen* and *Schwerdtfeger* are rendered moot. Furthermore, Applicants submit that *Huttunen* and *Reynolds* fail to cure the deficiencies of *Schwerdtfeger* noted above with respect to claims 1 and 13 and thus do not support a *prima facie* case of obviousness with respect to claims 1 and 13 or their respective dependent claims.

New claims 22-24

New claim 22 depends upon claim 1 and is similarly distinguishable from by the applied art. Applicants therefore request the timely allowance of new claim 22.

New independent claim 23 recites a computer-readable medium storing instructions that, when executed, cause at least one processor to generate a generic, markup language independent, description of an event associated with a source document, the event representing user interaction with the source document. In claim 23, instructions cause at least one processor to transform the generic description into markup language specific representations of the event. The transformation is controlled at least in part by associated meta-information about a structure of the source document. Instructions cause at least one processor to send at least one of the markup language specific representations to a browser running on a client device. Instructions cause at least one processor to receive from the client device the generically described event coded as at least one HTTP-request parameter and invoke a process based on the received at least one HTTP-request parameter. The at least one HTTP-request parameter includes an event name and an event value derived from attributes of the generic description.

Applicants submit that new claim 23, although of different scope than claims 1 and 13, are similarly distinguishable from the applied art. Indeed, the applied art is not seen to disclose

or suggest at least the "transform" and "receive" subject matter noted above. Applicants thus request the timely allowance of new claim 23.

New independent claim 24 recites generating a generic, markup language independent, description of an event associated with an electronic form, the event representing a submission of data by a user of the electronic form. Claim 24 further recites transforming the generic description into at least one of an XML representation, an HTML representation, and a WML representation of the generically described event. The transforming is controlled at least in part by associated meta-information about a structure of the electronic form. Claim 24 recites sending the at least one representation to a browser running on a mobile computing device. Claim 24 also recites receiving from the mobile computing device the generically described event coded as at least one HTTP-request parameter and invoking a process to validate data submitted by the user based on the received at least one HTTP-request parameter. In claim 24, the at least one HTTP-request parameter includes an event name and an event value derived from an event attribute, an observer attribute, a handler attribute and a priority attribute of the generic description.

Applicants submit that new claim 24 is distinguishable from the applied art. Indeed, the applied art is not seen to disclose or suggest at least the "transforming" and "receiving" subject matter noted above. Applicants thus request the timely allowance of new claim 24.

Conclusion

Applicants request the Examiner's reconsideration of the application in view of the foregoing and the timely allowance of pending claims 1, 3-11, 13, 14 and 22-24.

It is believed that all pending issues in the outstanding Office Action have been addressed by this paper. The Office Action, however, contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether or not any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action. In addition, there may be reasons for patentability of any or all pending or other claims that have not been expressed above.

If there are any questions regarding this paper or the application generally, Applicants would appreciate a telephone call to the undersigned since this may expedite prosecution of the application.

Please grant any extensions of time required to enter this paper and apply any required charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

/Frank A. Italiano/

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